

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
BRYSON CITY DIVISION
2:09cv24**

JOHN BENI,)	
)	
Plaintiff,)	
)	
Vs.)	ORDER
)	
YAMAHA MOTOR CORPORATION,)	
U.S.A., a California corporation;)	
YAMAHA MOTOR MANUFACTURING)	
CORPORATION OF AMERICA, a Georgia)	
corporation; and YAMAHA MOTOR)	
CORPORATION, LTD., a foreign)	
corporation,)	
)	
Defendants.)	
)	

THIS MATTER is before the court on defendants' Motion to Stay Proceedings

Pending the MDL Panel's Decision Regarding Transfer. Having considered defendants' motion and reviewed the pleadings, and it appearing that defendants have not reflected consultation with opposing counsel as required by the Local Civil Rules, L.Cv.R. 7.1(B), the court enters the following Order.

ORDER

IT IS, THEREFORE, ORDERED that defendants' Motion to Stay Proceedings Pending the MDL Panel's Decision Regarding Transfer (#12) is

DENIED without prejudice. Counsel for defendants is advised that the Local Civil Rules apply to potential MDL cases until such matters are transferred.

Signed: April 24, 2009

Dennis L. Howell

Dennis L. Howell
United States Magistrate Judge

